

FACSIMILE COVER SHEET

SALIWANCHIK, LLOYD & SALIWANCHIK

A Professional Association
P.O. Box 142950
Gainesville, FL 32614-2950

Telephone (352) 375-8100
Facsimile (352) 372-5800

RECEIVED
CENTRAL FAX CENTER

AUG 20 2007

TO: Examiner Doug Jiang, Ph.D.
Examining Group 1646

FROM: Glenn P. Ladwig
Patent Attorney
Registration No. 46,853

COMPANY: United States Patent and
Trademark Office

DATE: August 20, 2007

FAX NO.: 571-273-8300

**NO. OF PAGES
(INCLUDING COVER SHEET):** 3

SUBJECT/MESSAGE:

Re: U.S. Patent Application Docket No. C&R-108
IL-8-LIKE PROTEINS
Serial No.: 10/540,180; Date filed: June 17, 2005
Applicants: Fagan, Phelps, Davies, Yorke

Submission to PTO:

1. Election under 35 U.S.C. §121 (2 pages)

The information contained in this facsimile message is intended only for the personal and confidential use of the designated recipients named below. This message may be an attorney-client communication, and as such is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error, and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message by mail. Thank you.

If you do not receive all pages or if any transmission is not legible, call the sender at (352) 375-8100.

11:FORMS\FAX\PTO2.DOC/DNB/mv

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on August 20, 2007.


Glenn P. Ladwig, Patent Attorney

ELECTION UNDER 35 U.S.C. §121
Examining Group 1646
Patent Application
Docket No. C&R-108
Serial No. 10/540,180

RECEIVED
CENTRAL FAX CENTER
AUG 20 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Dong Jiang, Ph.D.
Art Unit : 1646
Applicants : Richard Joseph Fagan, Christopher Benjamin Phelps,
Mark Douglas Davies, Melanie Yorke
Serial No. : 10/540,180
Filed : June 17, 2005
Confirm. No. : 1199
For : IL-8-Like Proteins

MS AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION UNDER 35 U.S.C. §121

Sir:

In response to the written restriction requirement dated July 20, 2007, the applicants hereby elect to prosecute the Group I claims, e.g., claims 46, parts a) and i), 65, and 66, drawn to a composition comprising a polypeptide. The applicant further elects, with traverse, SEQ ID NO:10 as the specific amino acid sequence.

The applicants respectfully traverse the restriction requirement and request that the Examiner rejoin the amino acid sequence of SEQ ID NO:12 such that both the sequences of SEQ ID NO:10 and SEQ ID NO:12 be examined in the subject application. The assertion in section 2 at page 4 of the written restriction requirement that the various SEQ ID NOs are unrelated is incorrect. As indicated at page 59, lines 24-39, of the specification, the amino acid sequence of SEQ ID NO:12 is a portion or subsequence of the amino acid sequence of SEQ ID NO:10.

JAC&RM108VAmend-RespElection.doc/DNI:mv

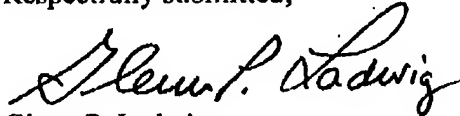
2

Docket No. C&R-108
Serial No. 10/540,180

These sequences do share a special technical feature within the meaning of PCT Rule 13.2. It is respectfully submitted that rejoinder of SEQ ID NO:12 would not create an undue search or examination burden on the Examiner or the Patent Office.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

Respectfully submitted,



Glenn P. Ladwig
Patent Attorney
Registration No. 46,853
Phone No.: 352-375-8100
Fax No.: 352-372-5800
Address: P.O. Box 142950
Gainesville, FL 32614-2950

GPI/mv

J:\C&R\108\Amend-Resp\Election.doc\DNB\mv